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5 | Attorneys for Defendant Buenrostro

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

## **United States of America,**

**Plaintiff,**

V.

Jose Buenrostro,

Defendant.

Case No. 2:17-cr-267-APG-EJY

## **Stipulation and Order to Continue Sentencing Hearing**

Defendant Jose Buenrostro and the United States, by and through the undersigned, hereby agree and stipulate, and request an Order from this Court upon such stipulation and agreement, that the sentencing hearing in this matter, currently scheduled for December 12, 2019 at 2:00 pm, should be continued to December 20, 2019 at 2:00pm, as follows:

1. On November 6, 2019, the Department of Probation transmitted the Presentence Investigation Report (the “PSR”) to counsel for both parties. On November 20, 2019, counsel for the defendant timely submitted extensive objections to the PSR.

1           2. Due to holiday travel, the Probation officer responsible for responding  
2 to the defendant's objections was out of the country for a period of time. She  
3 responded to the objections late in the day on December 2, 2019. She made minor  
4 revisions to the PSR, but disagreed with the primary objections set forth by the  
5 Defendant.

6           3. Based on a current sentencing date of December 12, 2019, the  
7 Defendant's sentencing memorandum is due December 5, 2019. In light of the  
8 revisions to (or failure to revise) the PSR, this leaves counsel three days to prepare  
9 the sentencing memorandum and, more importantly, confer with the Defendant  
10 about it. The Defendant currently is housed in Pahrump. 4. The Defendant  
11 and undersigned counsel for the Defendant seek a brief extension of the sentencing  
12 date to give them adequate time to confer about the content of the sentencing  
13 memorandum.

14           5. Mr. Buenrostro is in custody, but does not object to this continuance.  
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1       6. This is the parties' first stipulation to continue the sentencing hearing.  
2 The stipulation between the parties is entered into not for purposes of delay, but to  
3 provide counsel an opportunity to work through legal and factual issues relating to  
4 the sentencing hearing.

5                   Dated this 3rd day of December, 2019

6                   NICHOLAS TRUTANICH  
7                   United States Attorney

8                   */ s / Chris Burton*

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10                  CHRISTOPHER BURTON  
11                  Assistant United States Attorney

12                   */ s / Crane Pomerantz*

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14                  CRANE M. POMERANTZ  
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17                  Las Vegas, Nevada 89145

18                   *Counsel for Defendant Buenrostro*

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2                   **UNITED STATES DISTRICT COURT**  
3                   **DISTRICT OF NEVADA**

4                   **United States of America,**

5                   Plaintiff,

6                   v.

7                   **Jose Buenrostro,**

8                   Defendant.

Case No. 2:17-cr-267-APG-EJY

**Order**

9                   The Court, having considered the above stipulation of the parties, and good cause  
10 appearing, finds as follows:

11                 1.       On November 6, 2019, the Department of Probation transmitted the  
12 Presentence Investigation Report (the “PSR”) to counsel for both parties. On  
13 November 20, 2019, counsel for the defendant timely submitted extensive objections  
14 to the PSR.

15                 2.       Due to holiday travel, the Probation officer responsible for responding  
16 to the defendant’s objections was out of the country for a period of time. She  
17 responded to the objections late in the day on December 2, 2019. She made minor  
18 revisions to the PSR, but disagreed with the primary objections set forth by the  
19 Defendant.

20                 3.       Based on a current sentencing date of December 12, 2019, the  
21 Defendant’s sentencing memorandum is due December 5, 2019. In light of the  
22 revisions to (or failure to revise) the PSR, this leaves counsel three days to prepare

1 the sentencing memorandum and, more importantly, confer with the Defendant  
2 about it. The Defendant currently is housed in Pahrump.

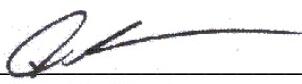
3       4. The Defendant and undersigned counsel for the Defendant seek a brief  
4 extension of the sentencing date to give them adequate time to confer about the  
5 content of the sentencing memorandum.

6       5. Mr. Buenrostro is in custody, but does not object to this continuance.

7       6. This is the parties' first stipulation to continue the sentencing hearing.  
8 The stipulation between the parties is entered into not for purposes of delay, but to  
9 provide counsel an opportunity to work through legal and factual issues relating to  
10 the sentencing hearing.

11           IT IS HEREBY ORDERED that the sentencing hearing in this matter, currently  
12 scheduled for December 12, 2019 at 2:00 p.m., shall be continued until December 20, 2019 at  
13 2:00 p.m. in courtroom 6C.

14 IT IS SO ORDERED this 3rd day of December, 2019.



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Andrew P. Gordon  
United States District Court Judge

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